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Counsel for Plaintiffs and the Proposed Class

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

J. DOE 1, et al.,
 Individual and Representative Plaintiffs,
 v.
 GITHUB, INC., et al.,
 Defendants.

Case Nos. 4:22-cv-06823-JST
 4:22-cv-07074-JST

**DECLARATION OF JOSEPH R. SAVERI
 IN SUPPORT OF JOINT STIPULATION
 AND [PROPOSED] ORDER TO EXTEND
 CASE DEADLINES PURSUANT TO
 LOCAL RULE 6-2**

1 I, Joseph R. Saveri, declare as follows:

2 1. I am an attorney duly licensed to practice in the State of California. I am a partner and
3 founder of the Joseph Saveri Law Firm, LLP, counsel of record for Plaintiffs Does 1–5 (“Plaintiffs”) in
4 the above-captioned action. I have personal knowledge of the matters stated herein and if called upon, I
5 could competently testify thereto. I make this declaration pursuant to 28 U.S.C. Section 1746 and Local
6 Rule 6-2(a) in support of Joint Stipulation and [Proposed] Order to Extend Case Deadlines Pursuant to
7 Local Rule 6-2.

8 2. Under the current schedule, the close of fact discovery is set for September 27, 2024, and
9 the other current case deadlines for expert discovery and for briefing on any motions for class
10 certification and *Daubert* motions are set thereafter (ECF No. 130).

11 3. No trial date has been entered (ECF No. 130).

12 4. At the last Case Management Conference on March 22, 2024, the Court indicated that
13 enlargement of the discovery cutoff deadline was “very likely to be necessary.” (ECF No. 240 at 6:18–
14 7:3).

15 5. The parties have begun fact discovery, but additional work remains to be done: document
16 discovery is ongoing and not complete; the parties are negotiating regarding the scope of custodial
17 discovery; the parties are conferring in good faith regarding several discovery disputes; the parties have
18 not yet agreed upon a training data inspection protocol; Plaintiffs are currently in the process of
19 assessing whether they will pursue sampling and inspection of telemetry (user) data through a 30(b)(6)
20 deposition of GitHub on that topic; and, apart from that deposition, no other depositions (including those
21 of named Plaintiffs) have been scheduled or occurred

22 6. There have been no previous time modifications in the case, whether by stipulation or
23 Court order.

24 7. The parties agree and stipulate that there is good cause to extend the current case
25 deadlines by 180 days in order to complete fact discovery and respectfully request that the current case
26 deadlines should be extended as reflected in the following table:

Case Event	Previous Deadline	New Deadline
Fact discovery cut-off	September 27, 2024	March 27, 2025
Plaintiffs' expert reports due	November 08, 2024	May 6, 2025
Defendants' expert reports due	December 13, 2024	June 11, 2025
Plaintiffs' rebuttal expert reports due	January 24, 2025	September 23, 2025
Expert discovery cut-off	February 21, 2025	October 21, 2025
Class certification and <i>Daubert</i> motions due	March 27, 2025	November 20, 2025
Class certification and <i>Daubert</i> oppositions due	April 24, 2025	December 22, 2025
Class certification and <i>Daubert</i> replies due	May 22, 2025	January 24, 2026

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30 day of August 2024 at San Francisco, California.

By: /s/ Joseph R. Saveri
Joseph R. Saveri